APR 2 8 2004 E

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| APPLICANT: | DAVID BUTTARS  | ) |
|------------|----------------|---|
|            |                | ) |
| TITLE.     | RIB DEVICE FOR | 1 |

PROTECTING AGAINST AND
CHANNELING FLUID

SPILLS

SERIAL NO.: 10/769,544 ) INFORMATION DISCLOSURE

) STATEMENT UNDER 37 C.F.R. FILED: January 29, 2004 ) § 1.97

EXAMINER \_\_\_\_\_

ART\_UNIT:\_\_\_\_

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Sir:

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Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449, which contains a list of patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). Applicant respectfully invokes the Patent Office's obligation under 37 C.F.R. § 1.97 to consider these references and make them of record in the

Certificate of Deposit Under 37 C.F.R. § 1.8

> Alan J. Howarth, Ph.D. Attorney Registration No. 36,553 Attorney for Applicant

above-captioned application. While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the references listed, together with any other references—which—may—have—been—previously—cited—by—or—submitted—to the Office, are the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

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In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each listed reference (or relevant portion thereof) that was not previously submitted to, or cited by, the Patent Office is also enclosed.

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| PTO-1449  | DE PRIOR ART CLEED BY APPLICANT |                    |          | ATTY. DOCKET NO. T9183.A.1   |                | SERIAL NO. | SERIAL NO.10/769,544                    |                            |  |  |  |
|---|---------------------------------|--------------------|----------|------------------------------|----------------|------------|---|----------------------------|--|--|--|
| LIST C  |                                 |                    |          | APPLICANT David Buttars      |                |            |   |                            |  |  |  |
| LIST OF PRIOR ART CHIED BY APPLICANT  |                                 |                    |          | FILING DATE January 29, 2004 |                | GROUP      |   |                            |  |  |  |
| U.S. PATENT DOCUMENTS   |                                 |                    |          |                              |                |            |   |                            |  |  |  |
| EXAMINER<br>INITIALS  |                                 | DOCUMENT<br>NUMBER | DATE     |                              | NAME           | CLASS      | SUBCLASS                                | FILING DATE IF APPROPRIATE |  |  |  |
|   | .AA                             | 5,888,604          | 03/30/99 | Evans, Jr. et al             |                |            |   |                            |  |  |  |
|   | AB                              | 5,715,772          | 02/10/98 | Kamrath et al.               |                |            |   |                            |  |  |  |
|   | AC                              | 5,711,402          | 01/27/98 | Sumpter, Sr.                 |                |            |   |                            |  |  |  |
|   | AD                              | 5,549,178          | 08/27/96 | Yuhas                        |                |            |   |                            |  |  |  |
|   | AE                              | 5,128,189          | 07/07/92 | Bartlett                     |                |            |   |                            |  |  |  |
|   | AF                              | 4,875,537          | 10/24/89 | Garnatz et al.               |                |            |   |                            |  |  |  |
|   | AG                              | 4,684,562          | 08/04/87 | Hartkemeyer                  |                |            |   |                            |  |  |  |
|   | AH                              | 4,661,389          | 04/28/87 | Mudge et al.                 |                |            |   |                            |  |  |  |
|   | AI                              | 3,877,576          | 04/15/75 | Kishi et al.                 |                |            |   |                            |  |  |  |
|   | AJ                              | 3,156,402          | 11/10/64 | Dupuis                       |                |            |   |                            |  |  |  |
|   | AK                              | 1,231,727          | 07/03/17 | Gaumont                      |                |            |   |                            |  |  |  |
| <del></del>   |                                 |                    | FORE     | IGN PAT                      | TENT DOCUMENTS | <u>.</u> . |   |                            |  |  |  |
|   |                                 | DOCUMENT<br>NUMBER | DATE     | COUNTRY CLAS                 |                | CLASS      | SUBCLASS                                | TRANSLATION YES NO         |  |  |  |
|   | AL                              |                    |          |                              |                |            |   |                            |  |  |  |
|   | AM                              |                    |          |                              |                |            |   |                            |  |  |  |
|   | AN                              |                    |          |                              |                |            |   |                            |  |  |  |
|   | AO                              |                    |          | <del></del>                  |                |            |   |                            |  |  |  |
|   | AP                              |                    |          |                              |                |            |   |                            |  |  |  |
| OTHER PRIOR ART (Including Author, Title, Volume and/or Name of Publication, Relevant Pages and Date [as available])  |                                 |                    |          |                              |                |            |   |                            |  |  |  |
|   | AR                              |                    |          |                              |                |            | - · · · · · · · · · · · · · · · · · · · |                            |  |  |  |
|   | AS                              |                    |          |                              |                |            |   |                            |  |  |  |
|   | AT                              |                    |          |                              |                |            |   |                            |  |  |  |
| EXAMINER  |                                 |                    |          | DATE CONSIDERED              |                |            |   |                            |  |  |  |
| *EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. |                                 |                    |          |                              |                |            |   |                            |  |  |  |